



Interpretation Act 1978

1978 CHAPTER 30

Repealing enactments

15 Repeal of repeal.

Where an Act repeals a repealing enactment, the repeal does not revive any enactment previously repealed unless words are added reviving it.

16 General savings.

(1) Without prejudice to section 15, where an Act repeals an enactment, the repeal does not, unless the contrary intention appears,—

- (a) revive anything not in force or existing at the time at which the repeal takes effect;
- (b) affect the previous operation of the enactment repealed or anything duly done or suffered under that enactment;
- (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under that enactment;
- (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against that enactment;
- (e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the repealing Act had not been passed.

(2) This section applies to the expiry of a temporary enactment as if it were repealed by an Act.

Modifications etc. (not altering text)

- C1** S. 16 excluded (E.W.) by *Mineral Workings Act 1985* (c. 12, SIF 86), ss. 3(3), 6(2)
S. 16 excluded by *Agricultural Holdings Act 1986* (c. 5, SIF 2:3), s. 99, Sch. 13 paras. 3, 8

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- S. 16 excluded (S.) (25.9.1991) by Agricultural Holdings (Scotland) Act 1991 (c. 55, SIF 2:3), ss. 87, 89(2), **Sch. 12 para. 5**
- C2** S. 16 saved (E.W.) (1.12.1991) by Water Industry Act 1991 (c. 56, SIF 130), **ss.140**, 223(2) (with ss. 82(3), 186(1), 222(1), Sch. 13 paras. 1, 2, Sch. 14 para. 6)
- C3** S. 16 applied (E.W.) (21.12.2017) by The Regulation and Inspection of Social Care (Wales) Act 2016 (Commencement No. 5, Savings, Transitory and Transitional Provisions) Order 2017 (S.I. 2017/1326), **art. 6(2)**
- C4** S. 16(1) applied (E.) (temp. from 27.11.2001 until 27.7.2002) by S.I. 2001/3576, **art. 3(2)**
S. 16(1) applied (27.11.2001) by S.I. 2001/3577, **art. 3(2)**
S. 16(1) applied (27.11.2001) by S.I. 2001/3578, **art. 3(2)**
- C5** S. 16(1) disapplied (W.) (1.9.2004) by The Conduct of Members (Model Code of Conduct) (Wales) Order 2001 (S.I. 2001/2289), art. 4 (as inserted by The Conduct of Members (Model Code of Conduct) (Wales) (Amendment) (No. 2) Order 2004 (S.I. 2004/1510), arts. 1(2), 3)
- C6** S. 16(1) applied (with modifications) by The Virgin Islands Constitution Order 2007 (S.I. 2007/1678), **s. 80(3)** (the amendment coming into force in accordance with s. 1(2) of the amending S.I.)
- C7** S. 16(1) applied (W.) (18.4.2008) by The Local Authorities (Model Code of Conduct) (Wales) Order 2008 (S.I. 2008/788), **art. 4(3)**
- C8** S. 16(1) applied by The Falkland Islands Constitution Order 2008 (S.I. 2008/2846), **Sch. ss. 54(3), 55(5)** (the application coming into force in accordance with arts. 1(3), 2(1) of the applying S.I.)
- C9** S. 16(1) applied (with modifications) by The St Helena, Ascension and Tristan da Cunha Constitution Order 2009 (S.I. 2009/1751), **arts. 75(3), 152(3), 217(3)** (the amendments coming into force in accordance with art. 1(3) of the amending S.I.)
- C10** S. 16(1) applied by The Pitcairn Constitution Order 2010 (S.I. 2010/244), arts. 2, 4, **Sch. 2 section 41(3)** (the amendment coming into force in accordance with arts. 1(2), 2 of the amending S.I.)
- C11** S. 16(1) applied (11.11.2010) by Constitutional Reform and Governance Act 2010 (c. 25), ss. 19, 52, **Sch. 2 para. 38; S.I. 2010/2703, art. 2(a)**
- C12** S. 16(1) modified (17.12.2010) by Terrorist Asset-Freezing etc. Act 2010 (c. 38), **ss. 46(4), 55(1)** (with s. 44)

17 Repeal and re-enactment.

- (1) Where an Act repeals a previous enactment and substitutes provisions for the enactment repealed, the repealed enactment remains in force until the substituted provisions come into force.
- (2) Where an Act repeals and re-enacts, with or without modification, a previous enactment then, unless the contrary intention appears,—
 - (a) any reference in any other enactment to the enactment so repealed shall be construed as a reference to the provision re-enacted;
 - (b) in so far as any subordinate legislation made or other thing done under the enactment so repealed, or having effect as if so made or done, could have been made or done under the provision re-enacted, it shall have effect as if made or done under that provision.

Modifications etc. (not altering text)

- C13** S. 17 saved (E.W.) (1.12.1991) by Water Industry Act 1991 (c. 56, SIF 130), **ss. 140**, 223(2)
- C14** S. 17 excluded (S.) (1.7.2005) by The Cereal Seed (Scotland) Regulations 2005 (S.S.I. 2005/328), **reg. 28(2)**
S. 17 excluded (S.) (1.7.2005) by The Fodder Plant Seed (Scotland) Regulations 2005 (S.S.I. 2005/329), **reg. 28(2)**

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- S. 17 excluded (W.) (18.11.2005) by [The Vegetable Seed \(Wales\) Regulations 2005 \(S.I. 2005/3035\)](#), [reg. 32\(2\)](#)
- S. 17 excluded (W.) (18.11.2005) by [The Cereal Seed \(Wales\) Regulations 2005 \(S.I. 2005/3036\)](#), [reg. 32\(2\)](#)
- S. 17 excluded (W.) (18.11.2005) by [The Beet Seed \(Wales\) Regulations 2005 \(S.I. 2005/3037\)](#), [reg. 29\(2\)](#)
- C15** S. 17 excluded (S.) (20.4.2010) by [The Beet Seed \(Scotland\) Regulations 2010 \(S.S.I. 2010/67\)](#), [regs. 1\(1\), 25\(2\)](#) (which amending S.S.I. was revoked by [S.S.I. 2010/148, reg. 25\(1\)](#)) and s. 17 excluded (S.) (20.4.2010) by [The Beet Seed \(Scotland\) \(No. 2\) Regulations 2010 \(S.S.I. 2010/148\)](#), [regs. 1\(2\), 25\(3\)](#)
- C16** S. 17(2) excluded (22.8.1996) by [1996 c. 16, ss. 103, 104\(1\), Sch. 8 Pt. 1 para. 1\(6\)\(7\)](#)
- S. 17(2) excluded (E.W.S.) (22.8.1996) by [1996 c. 17, ss. 44, 46, Sch. 2 Pt. 1 paras. 1-5](#) (with s. 38)
- S. 17(2) excluded (E.W.S.) (22.8.1996) by [1996 c. 18, ss. 241, 243, Sch. 2 Pt. 1 paras. 1-5](#) (with ss. 191-195, 202)
- S. 17(2) excluded (21.7.1997) by [1997 c. 22, s. 27, Sch. 2 paras. 1-5; S.I. 1997/1672, art. 2](#)
- S. 17(2) excluded (E.W.) (19.6.1997) by [1997 c. 25, ss. 73\(1\), 74\(1\), Sch. 4 Pt. 1 para. 1\(6\)](#)
- S. 17(2) excluded (E.W.) (11.9.1998) by [1998 c. 18, ss. 54\(2\), 55\(2\), Sch. 4 para. 6](#)
- S. 17(2) excluded (E.W.) (25.8.2000) by [2000 c. 6, ss. 165\(3\), 168\(1\), Sch. 11 Pt. 1 para. 1\(5\)](#)
- S. 17(2) excluded (22.3.2001 with effect in accordance with s. 579(1) of the excluding Act) by [2001 c. 2, s. 579, Sch. 3 Pt. 1 para. 6](#)
- S. 17(2) excluded (24.10.2002) by [2002 c. 24, ss. 14, 18\(2\), Sch. 2 para. 5](#)
- S. 17(2) excluded (6.4.2003 with effect in accordance with s. 723(1)(a)(b) of the excluding Act) by [The Income Tax \(Earnings and Pensions\) Act 2003 \(c. 1\), s. 723, Sch. 7 para. 6](#) (subject to [Sch. 7](#))
- S. 17(2) excluded (6.4.2005 with effect in accordance with s. 883(1)(a)(b) of the excluding Act) by [The Income Tax \(Trading and other Income\) Act 2005 \(c. 5\), s. 883, Sch. 2 para. 6\(1\)](#)
- S. 17(2) excluded (8.2.2007) by [The Wireless Telegraphy Act 2006 \(c. 36\), ss. 124, 126, Sch. 8 para. 5](#)
- S. 17(2) excluded (1.3.2007) by [The National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\), ss. 4, 8\(2\), Sch. 2 para. 1\(8\)](#) (with [Sch. 3 Pt. 1](#))
- S. 17(2) excluded (1.4.2007) by [The Parliamentary Costs Act 2006 \(c. 37\), ss. 17\(7\), 19, Sch. 2 para. 6](#)
- C17** S. 17(2) excluded (E.W.) (14.3.2012) by [Charities Act 2011 \(c. 25\), ss. 354, 355, Sch. 8 para. 5](#) (with [s. 20\(2\)](#))
- C18** S. 17(2) excluded (17.7.2012) by [Finance Act 2012 \(c. 14\), ss. 147, 177, Sch. 17 para. 36\(8\), Sch. 19 para. 2\(8\)](#)
- C19** S. 17(2) excluded (1.10.2015) by [The Consumer Rights Act 2015 \(Commencement No. 3, Transitional Provisions, Savings and Consequential Amendments\) Order 2015 \(S.I. 2015/1630\)](#), [arts. 1, 8\(7\)](#)
- C20** S. 17(2) excluded (11.1.2017) by [The Consumer Rights \(Enforcement and Amendments\) Order 2016 \(S.I. 2016/1259\)](#), [arts. 1, 4](#)
- C21** S. 17(2) excluded (1.9.2018) by [Ecclesiastical Jurisdiction and Care of Churches Measure 2018 \(No. 3\), s. 99\(2\), Sch. 4 para. 5](#) (with [Sch. 4 Pt. 1](#)); [S.I. 2018/720, art. 2](#)
- C22** S. 17(2)(a) excluded by [Insurance Companies Act 1982 \(c. 50, SIF 67\), s. 99\(1\), Sch. 4 para. 17](#)
- C23** S. 17(2)(b) excluded (24.7.2002) by [2002 c. 23, s. 20\(4\)](#)

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